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APR 25 2006

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FROM: Gregory Einhorn**DATE:** April 25, 2006

Number of pages with cover page: 17	Original or hard copy to follow if this box is checked <input type="checkbox"/>
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Comments:

ATTORNEY DOCKET: 564462001613
 GROUP ART UNIT: 1652
 EXAMINER: R. Hutson
 SERIAL NO.: 10/034,621
 FILING DATE: December 21, 2001
 INVENTOR(S): Walter Callen et al.
 TITLE: POLYMERASE-ENCODING NUCLEIC ACIDS AND
 METHODS OF MAKING AND USING THEM (AS
 AMENDED)

Papers attached:

1. Transmittal (1 page)
2. Fee Transmittal (1 page + duplicate for fee processing)
3. Petition for five month extension of time under 37 CFR 1.136(a) (1 page)
4. Second Response to Final Office Action (12 pages)

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SD-313105

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number 10/034,621
		Filing Date December 21, 2001
		First Named Inventor Walter CALLEN
		Art Unit 1652
		Examiner Name R. Hutson
Total Number of Pages in This Submission 17		Attorney Docket Number 564462001613

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form (1 page plus duplicate for fee processing) <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final (12 pages) <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request (1 page) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax cover sheet (1 page)
Remarks		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP		
Signature			
Printed name	Gregory P. Einhorn		
Date	April 25, 2006	Reg. No.	38,440

I hereby certify that this correspondence is being facsimile transmitted to MS AF, Commissioner for Patents, Patent and Trademark Office, Facsimile No. (571) 273-8300, on the date shown below.

Dated: April 25, 2006

Signature:

(Judy Calem)

sd-313131

PAGE 2/17 * RCVD AT 4/25/2006 8:34:46 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-2/5 * DNIS:2738300 * CSID:8587205125 * DURATION (mm:ss):07-02

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FEE TRANSMITTAL

For FY 2006

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		Complete If Known	
FEE TRANSMITTAL For FY 2006		Application Number	10/034,621
		Filing Date	December 21, 2001
		First Named Inventor	Walter CALLEN
		Examiner Name	R. Hutson
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Art Unit	1652
TOTAL AMOUNT OF PAYMENT		(\$)	\$855.00
		Attorney Docket No.	564462001613

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: 03-1952 Deposit Account Name: Morrison & Eperster LLP

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For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

<input checked="" type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

<u>Application Type</u>	FILING FEES		SEARCH FEES		EXAMINATION FEES		<u>Fees Paid (\$)</u>			
	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>				
Utility		300		150		500	250	200	100	
Design		200		100		100	50	130	65	
Plant		200		100		300	150	160	80	
Reissue		300		150		500	250	600	300	
Provisional		200		100		0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>	
- =	x	=	0.00	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
HP = highest number of total claims paid for, if greater than 20.				<u>0.00</u>	
<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>		
- =	x	=	0.00		

APPLICATION AREA

3. APPLICATION SIZE FEE
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(c)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)

4 OTHER FEE(S)

OTHER FEES: Non-English Specification, \$130 fee (no small entity discount)
Other (e.g., late filing surcharge): Extension for response within fifth month *** Please note that a two month extension of time was paid for on January 27, 2006 with the first Amendment
2255 After Final Office Action. (\$1080 - \$225 = \$855) ***

SUBMITTED BY				
Signature		Registration No. (Attorney/Agent)	38,440	Telephone (858) 720-5133
Name (Print/Type)	Gregory P. Einhorn		Date	April 25, 2006

sd-312121

PAGE 3/17 * RCVDT AT 4/25/2006 8:34:46 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-2/5 * DNIIS:2738300 * CSID:8587205125 * DURATION (mm:ss):07-02